

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : ZIMMERMANN et al.  
Serial No. : 10/598,042  
Confirm. No. : 9477  
Filed : August 16, 2006  
For : IMPLANTABLE PROSTHESIS...  
Art Unit : 3773  
Examiner : MASHACK, MARK  
Dated : January 18, 2011

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.136 (a)**

Sir:

The Office Action dated August 16, 2010 provided for a shortened statutory period for response of three months.

The shortened statutory period expired November 16, 2010.

Since the attached response is being filed within the second month pursuant to 37 CFR 1.136(a) Applicant respectfully requests the Examiner to charge the appropriate petition fee of \$490.00 (fee code 1252).

Respectfully submitted  
for Applicant(s),



By: \_\_\_\_\_  
John James McGlew  
Reg. No.: 31,903  
For: MCGLEW AND TUTTLE, P.C.

- and -



By: \_\_\_\_\_  
Brian M. Duncan  
Reg. No.: 58,505  
For: McGLEW AND TUTTLE, P.C.

JJM:BMD  
72329-8

DATED: January 18, 2011  
SCARBOROUGH STATION  
SCARBOROUGH, NEW YORK 10510-9227  
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND  
TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO  
OUR DEPOSIT ACCOUNT 13-0410.